

REMARKS

Claims 29-32, 36, and 40 are pending. By this Amendment, claims 29, 36, and 40 are amended and claims 1-28, 33-35, 37-39, and 41 are cancelled without prejudice or disclaimer. No new matter is added.

Claims 29, 36, and 40 are amended to clarify the recited subject matter and/or to correct typographical errors.

For the following reasons, reconsideration is respectfully requested.

DOUBLE PATENTING REJECTION:

On page 2 of the Office Action, claims 1-41 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-33 of co-pending Application No. 10/766,889. The rejection as to cancelled claims 1-28, 33-35, 37-39, and 41 is moot.

Regarding claims 29-32, 36, and 40, a duly executed Terminal Disclaimer is filed herewith.

Withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §102:

On page 3 of the Office Action, claims 1-5, 14, 34, and 38 are rejected under 35 U.S.C. §102(b) as being anticipated by Otsuki (U.S. Patent No. 5,283,779). The rejection of cancelled claims 1-5, 14, 34, and 38 is moot.

REJECTION UNDER 35 U.S.C. §103:

On page 4 of the Office Action, claims 6-13, 15-28, 33, 35, 37, 39, and 41 are rejected under 35 U.S.C. §103(a) as being unpatentable over Otsuki. The rejection of cancelled claims 6-13, 15-28, 33, 35, 37, 39, and 41 is moot.

REGARDING CLAIMS 29-32, 36, AND 40:

Claims 29-32, 36, and 40 are only rejected on obviousness double patenting grounds over claims 1-33 of co-pending Application No. 10/766,889, and not over any applied references. Accordingly, it is assumed that claims 29-32, 36, and 40 are allowable since a Terminal Disclaimer is filed herewith.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

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By: 
Seth S. Kim
Registration No. 54,577

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510